IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANT(s):	Jonathan D. Levine	CONF	2426
SERIAL NO.:	10/041,081	ART UNIT:	2178
FILING DATE:	January 7, 2002	EXAMINER:	Cesar B. Paula
TITLE:	SYSTEM HAVING A SINGLE, ROBUST, UNIVERSAL WORKFLOW FOR THE CREATION, PRINTING, AND BINDING OF HARDCOPY BOOKS, AND FOR THE ACCESSIBILITY AND DELIVERY OF ELECTRONIC BOOKS		
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Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANT'S REPLY

(37 C.F.R. §1.192)

The following is in reply to the Examiner's Answer mailed August 18, 2009.

Responsive Remarks

A careful reading of the Examiner's answer, reveals that the basis for the rejections under 35USC112, hinge upon the interpretation of the phrase in claims 1 and 20 that states: **"devoid of digital structure and codes particular to the needs of the originator"**
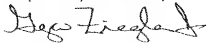
The Examiner indicates that this limitation cannot be found in the disclosure stating: **"The citation of the specification (page 5, lines 11-12) discloses book files**

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that are devoid of any particulars unique to the administrator of the system, not the originator". Appellant submits that, in view of the disclosure, taken as a whole, this is an arbitrarily narrow restriction on the meaning of the phrase in question.

In paragraph 0004 of the published application, Appellant has stated that the problem, to which this application is directed, is as follows: **"because the software has been designed for the particular needs of the content provider, the master book files may not be efficiently reproduced by another entity."** It is fundamental to the operation of large, computer dependent publishing systems that they rely on software maintained, updated, and customized by the content provider. In most systems, the responsibility for the software operation is in the hands of an administrator. A person skilled in the art would have no difficulty understanding that the terms "originator", "content provider", and "administrator of the system" are all one in the same for the purposes of interpreting appropriate claim limitations. Appellant therefore, submits that if, as the Examiner acknowledges, the specification discloses "digital structure and codes particular to the needs of the administrator of the system", then it discloses "digital structure and codes particular to the needs of the originator". Appellant respectfully requests that the rejections under 35USC112 be overruled.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 24-0037.

Respectfully submitted,

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CLAIM APPENDIX

1.   A print-on-demand method for creating and reproducing books by heterogeneous systems, said method comprising the steps of:

a) receiving, from an originator, as a complete book file, including a book block and comprising a digital representation, formatted with a digital structure and codes of an originating software, hardware, and operating system, of a book targeted for reproduction, wherein said digital structure and codes includes particulars unique to the needs of the originator;

b) converting said complete book file to have a solution-independent, intermediate format, in a universal format, wherein said digital structure and codes are devoid of said particulars unique to the needs of the originator ;

c) storing said solution-independent, intermediate formatted book file along with book identification information as a mastered book;

d) converting said solution-independent, intermediate formatted book file to a solution-dependent formatted book file to match the needs of a particular book reproduction system; and

e) reproducing said book from information comprised by said solution-dependent formatted book file.

2.   The method in Claim 1, wherein said book in step a) is originally in the form of electronic files.

3.   The method in Claim 1, wherein said book in step a) is originally in the form of a hard copy, and step a) further comprises the steps of:

scanning the components of said book; and

converting scanned components of said book into said digital representation.

4.   The method in Claim 1, wherein said book identification information comprises a book title.

5.   The method in Claim 1, wherein said book identification information comprises a book author.

6.   The method in Claim 1, wherein said book identification information comprises a book publisher.

7.   The method in Claim 1, wherein said book identification information comprises an International Standard Book Number.

8.   The method in Claim 1, wherein said book identification information comprises a book publishing date.

9.   The method in Claim 1, wherein step d) comprises the step of:
acquiring or generating hard copy book production information.

10.   The method in Claim 9, wherein said book production information comprises printing information.

11.   The method in Claim 9, wherein said book production information comprises binding information.

12.   The method in Claim 1, wherein step d) further comprises the step of:
via a Raster Image Processor, creating a bitmap of a book block.

13.   The method in Claim 1, wherein step d) further comprises the step of:

via a Raster Image Processor, creating a bitmap of a book cover.

14. The method in Claim 1, wherein step d) further comprises the step of:
acquiring or generating hard copy book production information.

15.   The method in Claim 1, wherein for electronic books, said book production information comprises security information.

16. The method in Claim 1, wherein for electronic books, said book production information comprises viewing capabilities.

17.   The method in Claim 1, wherein for electronic books, said book production information comprises printing capabilities.

18. The method in Claim 1 wherein step e) comprises for electronic books, the step of:
providing access to said book via an electronic link.

19.   The method in Claim 1 wherein step e) comprises for electronic books, the step of:
delivering said book to a predefined destination.

20.   A print-on-demand system for creating and reproducing books by heterogeneous reproduction workflows, said system comprising:
a) receiving, from an originator, as a complete book file, including a book blockand comprising a digital representation, formatted with a digital structure and codes of an originating software, hardware, and operating system, of a book targeted

for reproduction, wherein said digital structure and codes includes particulars unique to the needs of the originator;

     b) converting said complete book file to have a solution-independent, intermediate format, in a universal format, wherein said digital structure and codes are devoid of said particulars unique to the needs of the originator ;

     a book file memory adapted to store said solution-independent, intermediate formatted book file along with book identification information as a mastered book;

     a solution-dependent converter adapted to convert said solution-independent, intermediate formatted book file to a solution-dependent formatted book files to match the needs of a particular book reproduction workflow utilized; and

     a book reproducer adapted to reproduce said book from information comprised by said solution-dependent formatted book file.

21. The system in Claim 20, wherein said book in step a) is originally in the form of electronic files.

22. The system in Claim 20, wherein said book in step a) is originally in the form of a hard copy, and said book file generator further comprises:

     a book scanner adapted to scan the components of said book; and

     a scanned component converter adapted to convert scanned components of said book into said digital representation.

23. The system in Claim 20, wherein said book identification information comprises a book title.

24. The system in Claim 20, wherein said book identification information comprises a book author.

25. The system in Claim 20, wherein said book identification information comprises a book publisher.

26. The method in Claim 20, wherein said book identification information comprises International Standard Book Number.

27. The system in Claim 20, wherein said book identification information comprises a book publishing date.

28. The system in Claim 20, wherein said solution-dependent converter comprises:

a book production information generator adapted to generate hard copy book production information.

29. The system in Claim 28, wherein said book production information comprises printing information.

30. The system in Claim 28, wherein said book production information comprises binding information.

31. The system in Claim 20, wherein said solution-dependent converter comprises:

a Raster Image Processor adapted to create a bitmap of a book block.

32. The system in Claim 20, wherein step d) further comprises the step of:

a Raster Image Processor adapted to create a bitmap of a book cover.

33.   The system in Claim 20, wherein said solution-dependent converter comprises:

a book production information generator adapted to generate hard copy book production information.

34. The system in Claim 20, wherein for electronic books, said book production information comprises security information.

35. The system in Claim 20, wherein for electronic books, said book production information comprises viewing capabilities.

36.   The system in Claim 20, wherein for electronic books, said book production information comprises printing capabilities.

37.   The system in Claim 20 wherein said book reproducer comprises for electronic books:

an electronic link adapted to provide access to said book.

38.   The system in Claim 20 wherein said book reproducer comprises for electronic books:

an electronic link adapted to deliver said book to a predefined destination.

EVIDENCE APPENDIX

(Not Applicable)

RELATED PROCEEDINGS APPENDIX

(NONE)